

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:) CASE NO.: 20-13814-MDC
)
STEPHEN W. MCGANN,)
)
Debtor) CHAPTER 13

**OBJECTION OF CAPITAL ONE AUTO FINANCE,
A DIVISION OF CAPITAL ONE, N.A.
TO CONFIRMATION OF PROPOSED PLAN**

Capital One Auto Finance, a division of Capital One, N.A. ("COAF"), by and through its attorneys, Mester & Schwartz, P.C., files **Objection to Confirmation of Debtor's Proposed Plan** and states:

1. On September 11, 2017, Debtor Stephen W. McGann, entered into a Retail Installment Sales Contract in the principal amount of \$27,894.86 (the "Contract") that referred and related to the purchase of a 2017 HYUNDAI Sonata Sedan 4D SE I4, V.I.N. 5NPE24AF5HH508697 (the "Motor Vehicle").
2. COAF is the assignee of the Contract.
3. To secure the Contract, Debtor Stephen W. McGann granted a first lien on the Motor Vehicle in favor of COAF.
4. On September 23, 2020, Debtor filed a Voluntary Petition under Chapter 13 of the United States Bankruptcy Code.
5. On September 23, 2020, Debtor filed a Proposed Plan (the "Plan").
6. The Chapter 13 Trustee has scheduled a Meeting of Creditors for November 02, 2020.
7. At the time of the bankruptcy filing, the total amount of the COAF's claim was \$19,769.84.
8. The plan lists the amount of the claim at \$10,469.00 at 6.50% interest.
9. The fair market value for the Motor Vehicle is \$14,975.00. See attached Exhibit C.
10. COAF is entitled to a secured claim of \$14,975.00 over the life of the plan.
11. For the foregoing reasons, COAF objects to confirmation of the Plan.

WHEREFORE **Capital One Auto Finance, a division of Capital One, N.A.**, respectfully requests this Honorable Court to deny confirmation of the Plan.

Respectfully submitted,

Mester & Schwartz, P.C.

BY: /s/ Jason Brett Schwartz
Jason Brett Schwartz, Esquire

1917 Brown Street
Philadelphia, PA 19130
(267) 909-9036
Attorney for
Capital One Auto Finance,
a division of Capital One, N.A.

Dated: October 29, 2020